

# **Exhibit 64**

**Excerpts of Harry Griffiths  
Deposition Transcripts**

**Harry Griffiths**  
**9/30/2024**

<p>1 UNITED STATES DISTRICT COURT  2 SOUTHERN DISTRICT OF NEW YORK  3  4 SECURITIES AND EXCHANGE )  5 COMMISSION, )  6 Plaintiff, )  7 ) Case No.  8 vs. ) 23-cv-9518-PAE  9 )  10 SOLARWINDS CORP. and )  11 TIMOTHY G. BROWN, )  12 )  13 Defendants. )  14 _____ )  15  16 VIDEOTAPED DEPOSITION OF  17 HARRY GRIFFITHS  18 Austin, Texas  19 Monday, September 30, 2024  20  21  22  23  24 Reported by:  25 Micheal A. Johnson, RDR, CRR  Job No. 240930MJ</p> <p>1</p>	<p>1 APPEARANCES:  2 ON BEHALF OF PLAINTIFF:  3 U.S. SECURITIES AND EXCHANGE COMMISSION  4 BY: Christopher J. Carney  5 Kristen M. Warden  6 Lory C. Stone (Via Zoom)  7 100 F Street, NE  8 Washington, D.C. 20549  9 (202) 256-7941  10 carneyc@sec.gov  11 wardenk@sec.gov  12 stonel@sec.gov  13  14 ON BEHALF OF DEFENDANTS  15 SOLAR WINDS CORP. AND TIMOTHY G. BROWN:  16  17 LATHAM &amp; WATKINS LLP  18 BY: Serrin Turner  19 Joshua A. Katz  20 1271 Avenue of the Americas  21 New York, New York 10020  22 (212) 906-1330  23 serrin.turner@lw.com  24 josh.katz@lw.com  25  26 ALSO PRESENT:  27  28 Becky Melton  29 Jason Bliss  30  31 VIDEOGRAPHER:  32  33 Timothy Desadier</p> <p>3</p>
<p>1 UNITED STATES DISTRICT COURT  2 SOUTHERN DISTRICT OF NEW YORK  3  4 SECURITIES AND EXCHANGE )  5 COMMISSION, )  6 Plaintiff, )  7 ) Case No.  8 vs. ) 23-cv-9518-PAE  9 )  10 SOLARWINDS CORP. and )  11 TIMOTHY G. BROWN, )  12 )  13 Defendants. )  14 _____ )  15  16 Videotaped deposition of HARRY GRIFFITHS,  17 taken on behalf of Plaintiff, at Latham &amp; Watkins,  18 LLP, 300 Colorado Street, Suite 2400, Austin, Texas,  19 beginning at 10:09 a.m. and ending at 7:29 p.m. on  20 September 30, 2024, before Micheal A. Johnson, a  21 Registered Diplomat Reporter, Certified Realtime  22 Reporter, and Notary Public of the State of Texas.  23  24  25</p> <p>2</p>	<p>1 INDEX  2 HARRY GRIFFITHS  3 September 30, 2024  4  5 APPEARANCES 3  6  7 PROCEEDINGS 8  8  9 EXAMINATION OF HARRY GRIFFITHS:  10  11 BY MR. CARNEY 9  12  13 BY MR. TURNER 199  14  15 BY MR. CARNEY 203  16  17  18  19  20  21  22  23  24  25</p> <p>4</p>

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1	DEPOSITION EXHIBITS			1	DEPOSITION EXHIBITS		
2	HARRY GRIFFITHS			2	HARRY GRIFFITHS		
3	September 30, 2024			3	September 30, 2024		
4	EXHIBIT NO.	DESCRIPTION	MARKED	4	EXHIBIT NO.	DESCRIPTION	MARKED
5	Exhibit 1	April 8, 2020 E-mail,	51	5	Exhibit 17	11/2/2020-11/30/2020	193
6		Harry Griffiths to Jason		6		Short Message Report	
7	Exhibit 2	May 3, 2019 E-mail, Harry	61	7	Exhibit 18	Image From Bates	194
8		Griffiths to Sandra		8		SW-SEC00236723 -	
9		O'Connell, et al.		9		SW-SEC00236811	
10	Exhibit 3	November 7, 2017 E-mail,	64	10		SW-SEC00236759	
11		Timothy Brown to Louise		11			
12		Butler, et al.		12			
13	Exhibit 4	February 21, 2019 E-mail,	91	13			
14		Steven Colquitt to Harry		14			
15		Griffiths		15			
16	Exhibit 5	April 23, 2019 E-mail,	99	16			
17		SolarWinds JIRA to Harry		17			
18		Griffiths		18			
19	Exhibit 6	July 22, 2020 E-mail,	112	19			
20		Martin Gebauer to Harry		20			
21		Griffiths, et al.		21			
22	Exhibit 7	March 31, 2020 E-mail,	126	22			
23		Roberto Borlain to		23			
24		Roberto Borlain, et al.		24			
25		SW-SEC00073646 -		25			
		SW-SEC00073650					
			5				7
1	DEPOSITION EXHIBITS			1	Austin, Texas, Monday, September 30, 2024		
2	HARRY GRIFFITHS			2	10:09 a.m. - 7:29 p.m.		
3	September 30, 2024			3			
4	EXHIBIT NO.	DESCRIPTION	MARKED	4	THE VIDEOGRAPHER: Here begins the		
5	Exhibit 8	July 10, 2020 E-mail,	130	5	deposition of Harry Griffiths taking place at Latham		
6		Harry Griffiths to Ashley		6	& Watkins at 300 Colorado Street, Austin, Texas in		
7	Exhibit 9	April 19, 2021 E-mail,	133	7	the matter of Securities and Exchange Commission		
8		Martin Gebauer to Steven		8	versus SolarWinds Corporation, et al. The case		
9		Colquitt, et al.		9	number is 23-cv-9518-PAE.		
10	Exhibit 10	6/2/2020-6/30/2020 Short	140	10	Today's date is September 30th, 2024.		
11		Message Report		11	The time on video is 10:09 a.m. The videographer is		
12		SW-SEC00580227 -		12	Timothy Desadier and the court reporter is Micheal		
13	Exhibit 11	Folder Repository Image	140	13	Johnson.		
14	Exhibit 12	7/1/2020-7/31/2020 Short	148	14	Counsel, please identify yourselves		
15		Message Report		15	and state whom you represent.		
16	Exhibit 13	10/1/2020-10/30/2020	157	16	MR. CARNEY: Christopher Carney for		
17		Short Message Report		17	the Securities and Exchange Commission.		
18		SW-SEC00579801 -		18	MS. WARDEN: Kristen Warden for the		
19	Exhibit 14	12/1/2020-12/13/2020	172	19	Securities and Exchange Commission.		
20		Short Message Report		20	MR. TURNER: Serrin Turner, Latham &		
21	Exhibit 15	11/2/2020-11/30/2020	181	21	Watkins for the deponent.		
22		Short Message Report		22	MR. KATZ: Josh Katz, Latham &		
23		SW-SEC00236824 -		23	Watkins, for the defendants.		
24	Exhibit 16	11/2/2020-11/30/2020	190	24	MS. MELTON: Becky Melton, VP legal		
25		Short Message Report		25	for SolarWinds.		
		SW-SEC00458790 -					
		SW-SEC00458914					
			6				8

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<p>1     <b>Q.</b> And is April 1st, 2020, when you first  2 became a member of the security group at SolarWinds?  3     <b>A.</b> That's correct. I first became -- I  4 moved over from the customer support/technical  5 support team into the security engineering  6 department.  7     <b>Q.</b> So when you moved over in April of 2020,  8 what was your position then?  9     <b>A.</b> So incident response would have been my  10 primary focus when they brought me in. Because of  11 my background knowledge and working with customers,  12 reporting vulnerabilities against the products, this  13 was really the -- the main reason why I was going to  14 be moved into the security team to help with that  15 and the customer-facing aspect of response.  16     <b>Q.</b> And so when you say your primary focus  17 was incident response, what do you mean by that?  18     <b>A.</b> So when we say "incident response,"  19 there's two aspects. There's the cybersecurity  20 incidents that may be reported to us or there's  21 product security incidents that may be reported to  22 us. And we deal -- dealt with both at the time.  23     <b>Q.</b> And what is the difference between  24 cybersecurity incidents and product security  25 incidents?</p> <p style="text-align: center;">17</p>	<p>1     <b>A.</b> So there is -- in the code base there's  2 various -- how do you say this? So there's  3 different types of cross-site scripting as well.  4 There's stored cross-site scripting, there's  5 indirect, there's -- it's -- sorry, struggling here.  6 Can I pick another example just to talk over? Had a  7 little brain fart there. So let's go for remote  8 code execution. That's probably the highest  9 impacting potential vulnerability that we would get.  10 Remote code execution allows you to send code to a  11 web application and run locally on the server that  12 is running the web application code and execute  13 code, which is not intended behavior. So it's a  14 weakness in the product that allows you to  15 potentially run -- execute code with -- depending on  16 the type -- elevated privileges, for example,  17 running as local system on the server.  18     <b>Q.</b> And so you've described that as a product  19 security incident. What makes it a security  20 vulnerability?  21     <b>A.</b> Could you rephrase the question for me,  22 please?  23     <b>Q.</b> Sure. Sure. I'm just wondering, you  24 described these potential vulnerabilities and you  25 just gave us an example where it can run the web</p> <p style="text-align: center;">19</p>
<p>1     <b>A.</b> So the product security incidents is  2 really around the vulnerabilities that may exist in  3 the product that have been picked up by scanners or  4 external reporters or customers and reported in to  5 us that we work through with the various different  6 departments to triage, validate, and if found valid,  7 work on responsible disclosure where we would then  8 have a fix, you know, developed and issued out to  9 our customers for disclosure.  10     On the cybersecurity incident, they can  11 stem from many different areas. For example, there  12 could be some malware detected somewhere that has  13 been validated on a particular machine, or it could  14 be a phishing e-mail, something like this where  15 there's been a validated sort of detection, right,  16 where we try to validate through this process.  17     <b>Q.</b> Okay. So with respect to the  18 cybersecurity, you mentioned examples such as  19 malware and phishing. Is there a specific example  20 you can give of what would be a product security  21 incident?  22     <b>A.</b> Sure. So a customer may report that they  23 have a cross-site scripting issue in the web portion  24 of the product.  25     <b>Q.</b> And what is a cross-site scripting issue?</p> <p style="text-align: center;">18</p>	<p>1 application code and execute code, which is not the  2 intended behavior. And I'm just wondering, what is  3 the security risk in that type of incident?  4     <b>A.</b> The security risk is -- for these ones  5 for the remote code execution, can be very high  6 security because it could allow -- especially for a  7 public web server, it could allow any actor to  8 leverage this weakness in the code and be able to  9 send traffic, you know, through the browser through  10 the security tools and gain access or run code on  11 the server locally. And from there he may be able  12 to laterally move or elevate his privileges to be  13 able to do a lot worse damage on the internal  14 infrastructure.  15     <b>Q.</b> And have you dealt with any remote code  16 execution incidents while you were at SolarWinds?  17     <b>A.</b> Yes.  18     <b>Q.</b> And how -- first of all, how many times  19 has that happened?  20     <b>A.</b> It would be a very small handful. I  21 can't give exact numbers.  22     MR. TURNER: Just testify to what you  23 remember.  24     <b>A.</b> Maybe two or three.  25</p> <p style="text-align: center;">20</p>

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<p>1 BY MR. CARNEY:  2 Q. Did you say GRG function?  3 A. GRC. Like a governance risk compliance  4 area of the security team.  5 Q. Thank you.  6 A. No problem.  7 MR. TURNER: Been going about an  8 hour, Chris. Want to take a break?  9 MR. CARNEY: We can take a break now  10 if you want.  11 MR. TURNER: Harry's a smoker.  12 THE VIDEOGRAPHER: Going off the  13 record. Time is 11:01.  14 (Recess taken from 11:01 a.m. to  15 11:22 a.m.)  16 THE VIDEOGRAPHER: Back on the  17 record. Time is 11:22.  18 BY MR. CARNEY:  19 Q. Mr. Griffiths, before we broke, you had  20 mentioned some instances when you were in your  21 technical support role and customers submitted to  22 you penetration testing that they had done on their  23 own. Do you recall that?  24 A. Yes.  25 Q. I'm wondering -- and you had also</p> <p style="text-align: center;">41</p>	<p>1 A. I can't recall specific examples. There  2 was a lot. There was many over the period of time.  3 Q. So first of all, you said there were many  4 over a period of time. What period of time?  5 A. From -- even when I was in the support  6 team up until when I was no longer working on the  7 incident response team, which would have been when  8 I -- maybe one to two years ago, when I changed  9 roles into this cloud and threat and vulnerability  10 management role.  11 Q. Okay. And just -- just to clear the  12 record, so these customer reports of vulnerabilities  13 from pen testing that were validated, they would  14 have begun in 2012?  15 A. Prior to me joining the security team.  16 So 2019 maybe. Yeah.  17 Q. 2019. Okay. And when you say that there  18 were many instances, can you give me a rough number  19 of how many times this happened?  20 MR. TURNER: Objection to form.  21 A. No, because we had multiple products. So  22 this wasn't just single instances. This was any  23 customer who used any SolarWinds product might  24 report a vulnerability.  25</p> <p style="text-align: center;">43</p>
<p>1 mentioned that you would sort of kick it over to the  2 engineering team to see whether those results could  3 be validated; is that correct?  4 A. That's correct.  5 Q. Do you recall any instances where the  6 customer's penetration results were sent over to the  7 engineer team and the results were validated?  8 A. Sorry, the question -- so when you say  9 results that could be -- a pen test might have  10 several. So when they're valid, it's possible that  11 there was only maybe one out of ten that were  12 validated. I can't recall where everything on that  13 report was validated.  14 On the other hand, they might be  15 reporting just one vulnerability and that may have  16 been reported -- validated.  17 Q. So to follow up on what you just said, do  18 you recall any instances where customers did their  19 own pen testing, identified a vulnerability, sent it  20 to you, you sent it over to the engineering team for  21 validation and they validated that there was,  22 indeed, a vulnerability?  23 A. Yes.  24 Q. And do you recall a specific example  25 where that happened?</p> <p style="text-align: center;">42</p>	<p>1 BY MR. CARNEY:  2 Q. And do you know whether in every instance  3 when a customer reported a vulnerability that was  4 validated, was that vulnerability then corrected?  5 A. Yes. If it was a valid vulnerability  6 that had risk out there, then, yes, the standard  7 process would be to see if there was any kind of  8 mitigations that could be applied and to work on an  9 actual fix in the code and change that code and  10 release a security patch for customers.  11 Q. And so what you just described was the  12 standard process, right?  13 A. Standard process.  14 Q. And you mentioned that there were many of  15 these vulnerabilities that were validated that were  16 reported by customers. Do you know if that standard  17 process was followed for every single one of those  18 vulnerabilities?  19 A. To the best of my knowledge it was.  20 Q. And do you have an understanding as to  21 why customers were picking up vulnerabilities  22 through their pen testing that had not yet been  23 identified by SolarWinds' internal pen testing?  24 A. As I mentioned before, one of the reasons  25 that can happen is the false positives that -- we</p> <p style="text-align: center;">44</p>

<p>1 may not have logged a ticket because when 2 engineering -- they already know when they see 3 something like that and they're able to give the 4 explanation so documenting that. 5 <b>Q.</b> So let me break that down a bit. Would a 6 false positive -- let me strike that. 7 Could a false positive reported by a 8 customer still be an example of a vulnerability that 9 is validated? 10 <b>MR. TURNER:</b> Objection to form. 11 <b>A.</b> When I say "validation," I kind of mean 12 through the triage process. So if we've identified 13 that it's a false positive, then somebody has read 14 through that code to find out that it's not 15 exploitable. So in that case, yeah, it's validated. 16 <b>BY MR. CARNEY:</b> 17 <b>Q.</b> And you mentioned the many instances 18 where customers reported vulnerabilities that were 19 validated. 20 Among those instances were there ones 21 where they were true positives? 22 <b>A.</b> That they were valid vulnerabilities 23 that -- a risk, bring some sort of risk, yes. 24 <b>Q.</b> And do you recall, of the many instances 25 where customers reported these vulnerabilities and</p> <p style="text-align: center;">45</p>	<p>1 <b>A.</b> They're different people. I'd -- can you 2 rephrase the question to help me, please? 3 <b>BY MR. CARNEY:</b> 4 <b>Q.</b> Sure. You described how there's many 5 different plug-ins and scanners that can be used to 6 conduct pen testing; is that right? 7 <b>A.</b> Uh-huh. 8 <b>Q.</b> And sometimes because of those 9 differences, customers were able to uncover 10 vulnerabilities that SolarWinds had not uncovered; 11 is that right? 12 <b>A.</b> That's correct. Customers or security 13 researchers as well. 14 <b>Q.</b> And do you have an understanding as to 15 why SolarWinds did not have those pen testing 16 resources available itself? 17 <b>MR. TURNER:</b> Objection to form. 18 <b>A.</b> They're external different pen testers. 19 I don't quite follow the question because... 20 <b>BY MR. CARNEY:</b> 21 <b>Q.</b> And I'm just trying to understand from 22 a -- you know, as a nontechnical person, why the 23 products that the customers were using would pick up 24 on vulnerabilities that the products SolarWinds was 25 using did not.</p> <p style="text-align: center;">47</p>
<p>1 they were validated, about what percentage turned 2 out to be actual risks? 3 <b>A.</b> I don't recall any figures. 4 <b>Q.</b> Okay. And in the instances where 5 customers reported a vulnerability and it was 6 validated as an actual risk, do you have an 7 understanding as to why the customer would have 8 identified that risk through its pen testing before 9 SolarWinds had? 10 <b>A.</b> As I kind of explained before in the pen 11 testing scene, using different types of scanners, 12 using different types of plug-ins for the same 13 scanner can expand what you uncover. Sometimes it's 14 like you -- there's just so many aspects with like, 15 you know, tens of thousands -- I'm just throwing out 16 numbers, of lines of code. So it's always possible 17 for anyone, whether they're in the security team, 18 the engineering team or customers or external pen 19 testers, to find different results and different 20 findings, that's common across the industry. 21 <b>Q.</b> Okay. And correct me if I'm wrong. So 22 is it, these customers had pen test resources 23 available to them that SolarWinds did not? 24 <b>MR. TURNER:</b> Objection to form and 25 foundation.</p> <p style="text-align: center;">46</p>	<p>1 <b>A.</b> I'm still kind of confused about the 2 question. 3 <b>Q.</b> All right. Let me try to unpack it a 4 little. You mentioned that a customer might have a 5 scanner that SolarWinds did not have available; is 6 that right? 7 <b>A.</b> That's right, yeah. 8 <b>Q.</b> Okay. And that scanner could pick up on 9 vulnerabilities that the SolarWinds scanners did not 10 pick up on, right? 11 <b>A.</b> It's possible, yeah. 12 <b>Q.</b> And I guess as a layperson, I'm just 13 wondering, do you have an understanding why 14 SolarWinds didn't have scanners that would also pick 15 up on that vulnerability? 16 <b>MR. TURNER:</b> Are you asking him why 17 SolarWinds did not have every pen testing software 18 available on the market? 19 <b>MR. CARNEY:</b> No. No, not asking 20 that. 21 <b>MR. TURNER:</b> What is the question 22 exactly? 23 <b>BY MR. CARNEY:</b> 24 <b>Q.</b> So I'm asking you why -- the universe of 25 pen testing tools that SolarWinds had available, why</p> <p style="text-align: center;">48</p>



<p>1 were they not enough to pick up the vulnerabilities 2 that the customers were picking up? 3 MR. TURNER: Object to foundation. 4 A. I'm still struggling with this particular 5 question. It's kind of confusing me. This is not 6 specific to SolarWinds. This is going to happen in 7 any software company out there because, you know, 8 product vulnerabilities are inevitable. There's 9 different languages, different codes. As I 10 mentioned, huge code bases that go way back. This 11 is why we run things like Bug Bounty programs, is 12 because, you know, there is very 13 specific -- security researchers are experts who are 14 known for one best -- they may apply different 15 techniques that is not shared, standard, and they 16 may be able to find similar vulnerabilities no 17 matter which vendor it is, if that makes sense. 18 So sometimes they have -- they get -- 19 they work with a vendor, they find that they were 20 correct and validated, and on -- some way of maybe 21 manipulating the code, et cetera, and they could 22 apply that to SolarWinds. So it's kind of natural 23 for -- I guess it's kind of natural for just any 24 vendor is not going to be able to know everything 25 that the thousands and thousands of security</p> <p style="text-align: center;">49</p>	<p>1 it's -- it's possible. 2 Q. Why do you say it's possible? 3 A. As I mentioned before, they could be 4 using a completely different product that has, you 5 know, patented or specific rules, scanning that only 6 their product has, you know, that's 7 different -- completely different to other tools. 8 As mentioned, there's so many of these tools out 9 there. 10 Q. Did you ever -- sorry, were you finished? 11 A. Yeah. 12 Q. Apologies. Did you ever express any 13 concerns about the resources available within 14 SolarWinds for pen testing? 15 A. I don't recall if I had any concerns. 16 Q. Do you recall anyone expressing to you 17 concerns about the resources available within 18 SolarWinds for pen testing? 19 A. Not that I can recall. 20 (Deposition Exhibit 1 marked for 21 identification.) 22 (Witness reviews document.) 23 BY MR. CARNEY: 24 Q. Mr. Griffiths, for the record, you've 25 been handed what's been marked as Exhibit 1, and</p> <p style="text-align: center;">51</p>
<p>1 researchers, millions, I don't know, across the 2 world who are uncovering new vulnerabilities or 3 uncovering new ways to exploit vulnerabilities. And 4 that logic can be applied to different software and 5 platforms and stuff. 6 BY MR. CARNEY: 7 Q. Okay. Do you ever recall an instance 8 where a customer uncovered a valid vulnerability and 9 concerns were raised within SolarWinds as to why did 10 we not detect this ourselves? 11 A. It's fairly standard practice. This is 12 going to be common as, again, in any corporation 13 with product vulnerabilities. So you just always 14 learn -- try to do continuous improvements where you 15 can. And if you can apply things that will help 16 improve, your lesson's learned, shall we say, and 17 you know, the root cause analysis, then you can 18 help, you know, protect this. 19 Q. And I guess my question was -- but do you 20 recall any instances where a customer uncovered one 21 of these vulnerabilities and people inside 22 SolarWinds expressed concern that this is something 23 we should have uncovered ourselves with our own pen 24 testing? 25 A. I don't recall any specifics, but</p> <p style="text-align: center;">50</p>	<p>1 this is an e-mail exchange from April of 2020 and it 2 has the Bates stamp SW-SEC00416359. 3 And I -- I handed you this exhibit just 4 because I sort of want to understand the training 5 that you've gone through briefly. So when is 6 it -- at the bottom, you -- do you know Jason Dee, 7 D-e-e? 8 A. Yeah. 9 Q. And who is he? 10 A. The colleague, I believe he was in 11 support, but then here he was a technical trainer at 12 this time in the academy team. 13 Q. And he's kind of trying to get some sort 14 of career advice from you. Is that a fair 15 assessment? 16 A. That's fair. 17 Q. And you mentioned at the top that you 18 went through the EC-Council exams. What's that? 19 A. Yeah. EC-Council is a professional 20 certification body revolving around security, and 21 you can go for their training and you can get the 22 certifications. 23 Q. And what certifications did you get 24 through the EC-Council exams? 25 A. So here was the Certified Ethical Hacker</p> <p style="text-align: center;">52</p>

**Harry Griffiths**  
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<p>1     <b>A.</b> For example, our ticketing application,  2 JIRA, the whole company did not have access to JIRA,  3 only specific people working in that area. And I  4 can think of other applications that would be the  5 same.  6     <b>Q.</b> And is JIRA the ticketing application  7 that is used with respect to risk assessment forms?  8     <b>A.</b> Risk acceptance [sic] forms, no.  9     <b>Q.</b> What is JIRA used for?  10    <b>A.</b> So JIRA's the ticketing system primarily  11 used by the engineering teams, but other teams have  12 adopted it as well, including IT, and used for  13 documenting potential changes to code. Whether  14 that's a new feature or bug, security issue, they're  15 being -- they log these tickets to start  16 prioritizing.  17    <b>Q.</b> And do you -- do you use the JIRA  18 ticketing system as part of your job?  19    <b>A.</b> Yes.  20    <b>Q.</b> And what do you use it for?  21    <b>A.</b> I actually created my own projects within  22 JIRA. I had one for the security team for incident  23 response. I have a product security location and a  24 cybersecurity incident project. And this allowed us  25 to link back and forth to even the engineering</p> <p style="text-align: center;">81</p>	<p>1 BY MR. CARNEY:  2     <b>Q.</b> Good afternoon, Mr. Griffiths. Before we  3 broke, we had been looking at Exhibit 3, which was a  4 copy of the security statement, and I think we were  5 on the page ending in 337108. Do you still have  6 that in front of you, sir?  7     <b>A.</b> I do.  8     <b>Q.</b> And if I could ask you, under the blue  9 heading of Access Controls, there's another  10 subparagraph that's called Authentication and  11 Authorization and there's actually two paragraphs.  12 If I could ask you, please, to just read those to  13 yourself.  14           (Witness reviews document.)  15    <b>A.</b> Okay.  16 BY MR. CARNEY:  17    <b>Q.</b> So first of all, Mr. Griffiths, at any  18 point during your time at SolarWinds, have you had  19 responsibility for enforcing or implementing the  20 authentication and authorization activities  21 described in these paragraphs?  22    <b>A.</b> No.  23    <b>Q.</b> And do you know what group is charged  24 with overseeing the activities described in  25 the -- these two paragraphs?</p> <p style="text-align: center;">83</p>
<p>1 tickets where maybe the body of work might be done  2 to remediate something. I use it to find historical  3 things of what's open, what's not, what's been  4 closed. I'm using it for assessing security tickets  5 in terms of the prioritization, how they classified  6 the vulnerability in terms of severity, the CVSS  7 score, to make sure that we agree with that as well,  8 like, have this, again, two-prong approach of having  9 external eyes looking in. So I use it for many  10 different things, reporting dashboards. And  11 integration with our Salesforce platform play.  12    <b>Q.</b> And one more -- one more question, we'll  13 take a break and we can pick up on this document  14 when we get back, but what does CVSS stand for?  15    <b>A.</b> Common vulnerabilities securing -- secure  16 scoring system.  17    <b>Q.</b> We can take a break and I'll ask you some  18 more about that after the break. Thank you.  19    <b>A.</b> Thank you.  20       THE VIDEOGRAPHER: Going off the  21 record. Time is 12:37.  22       (Recess taken from 12:37 p.m. to  23 1:52 p.m.)  24       THE VIDEOGRAPHER: Back on the  25 record. Time is 1:52.</p> <p style="text-align: center;">82</p>	<p>1     <b>A.</b> It could be the infrastructure team that  2 I referred to earlier. Potentially the GRC,  3 governance and compliance team.  4     <b>Q.</b> Any other teams that you can think of?  5     <b>A.</b> Not that I can think of.  6     <b>Q.</b> So first of all, the first paragraph  7 describes the password policy at SolarWinds. Do you  8 know whether, at the time that you came over to the  9 security team, whether this password policy was  10 being enforced companywide at SolarWinds?  11    <b>A.</b> So I know from, like, when you go to  12 create your password in the enterprise, that there  13 was -- for example, this has use of complex  14 passwords both alpha and numeric characters. That  15 existed. I had to set my password using those.  16    <b>Q.</b> And do you know if that was applied  17 across the company to all employees?  18    <b>A.</b> I believe so. This was the main log-in  19 to the laptop.  20    <b>Q.</b> It says that -- in that same paragraph,  21 last sentence, says: Passwords are individually  22 salted and hashed.  23       Do you know what that means?  24    <b>A.</b> So, yes.  25    <b>Q.</b> And what does that mean?</p> <p style="text-align: center;">84</p>



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<p>1     <b>A.</b> I mean, Active Directory by nature does  2 this by design. So when you create your password,  3 your password is protected with a key. So it's a  4 way of securing the actual password itself. And  5 this is, like, built into Active Directory, which is  6 what we use when we log on.  7     <b>Q.</b> So what does it mean for a password to be  8 individually salted and hashed, though?  9     <b>MR. TURNER:</b> You want a crash course  10 in cryptography, is that what you're asking for?  11     <b>MR. CARNEY:</b> No. Just a brief  12 explanation.  13     <b>A.</b> Individually meaning every account that's  14 created has this form of encryption.  15 <b>BY MR. CARNEY:</b>  16     <b>Q.</b> With respect to the second paragraph,  17 where it says: SolarWinds employees are granted a  18 limited set of default permissions to access company  19 resources, do you know if that policy applied to all  20 SolarWinds employees at the time that you switched  21 over to the security team in 2020?  22     <b>A.</b> I believe so. When I was in support, I  23 didn't have that level of access.  24     <b>Q.</b> You believe so. Do you know whether it  25 was actually enforced as to all employees at</p> <p style="text-align: center;">85</p>	<p>1 access I actually needed for my role and it was  2 always going to be having my manager in there to say  3 this is approved.  4     <b>Q.</b> And aside from your personal experience,  5 do you know if that policy was enforced across the  6 board at SolarWinds?  7     <b>A.</b> Outside of the security team, right?  8     <b>Q.</b> Yes.  9     <b>A.</b> I don't think I would have had -- or  10 remember any specifics or -- outside security.  11     <b>Q.</b> Okay. And then the last sentence says:  12 Approvals are managed by workflow tools that  13 maintain audit records of changes.  14     Are you familiar with the workflow tools  15 that are described there?  16     <b>A.</b> What comes to mind is the help desk  17 system that we were using.  18     <b>Q.</b> And was that during a time when you were  19 in customer support?  20     <b>MR. TURNER:</b> Object to form.  21 <b>BY MR. CARNEY:</b>  22     <b>Q.</b> Let me ask it this way. Did the help  23 desk system that you're describing that you say  24 relates to the workflow tools described in this  25 paragraph about authentication and authorization,</p> <p style="text-align: center;">87</p>
<p>1 SolarWinds?  2     <b>A.</b> I can't speak for everyone. I can just  3 talk about my experiences as a support engineer and  4 my role before having access to -- a lot more  5 limited than when I had the administrator account  6 assigned to me.  7     <b>Q.</b> And fair enough. And I appreciate your  8 experience. I'm just trying to understand if you  9 have knowledge about what was done across the  10 company, and if you do, that's great; if you don't,  11 that's also great.  12     <b>A.</b> My understanding from hiring people, for  13 example, in the security team is that when they  14 join, they would be given a limited set, but then we  15 would request specific group access for them  16 depending on the role.  17     <b>Q.</b> And the last two sentences say: Requests  18 for additional access follow a formal process that  19 involves a request and then approval from a data or  20 system owner, manager or other executives, as  21 defined by our security guidelines.  22     I'm going to stop right there. Do you  23 know if that sentence was accurate as of the time  24 that you joined the security team?  25     <b>A.</b> Yes. I recall not having the level of</p> <p style="text-align: center;">86</p>	<p>1 was that the system you were using when you were in  2 the technical support group?  3     <b>A.</b> Every employee would use the help desk  4 system in place to make requests.  5     <b>Q.</b> And was there an audit record of changes  6 in that system?  7     <b>A.</b> The help desk system has a record of  8 that, yeah.  9     <b>Q.</b> And then finally in this document, last  10 thing I want to ask you about is the Software  11 Development Lifecycle at the bottom of this page.  12 If you would please read those two paragraphs to  13 yourself.  14     (Witness reviews document.)  15     <b>A.</b> Yeah.  16 <b>BY MR. CARNEY:</b>  17     <b>Q.</b> Okay. Mr. Griffiths, during your time at  18 SolarWinds, have you had any responsibility for  19 ensuring that SolarWinds followed the software  20 development lifecycle?  21     <b>A.</b> No, that would not be in my  22 responsibilities.  23     <b>Q.</b> Do you know whether at the time you  24 joined the security team in 2020 whether SolarWinds  25 was, in fact, following a secure development</p> <p style="text-align: center;">88</p>

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<p>1 engineering was ignoring your e-mails about RAFs?  2 <b>A.</b> I don't recall that.  3 <b>Q.</b> Did you -- can you explain what you were  4 saying here in the message I just read?  5 <b>A.</b> So the first sentence -- I believe this  6 is referring to this new dashboard that I was  7 creating and that's what I'm saying, is I'm creating  8 this to also help the engineering teams have that  9 same level of visibility into those specific tickets  10 that we identify.  11 The second part I'm saying but they don't  12 act, read my e-mails. I'm obviously talking about  13 something specific. I don't remember the who and  14 what, but I'm referring to them obviously not coming  15 back to me. I don't know the time period or any  16 details behind that.  17 <b>Q.</b> Thank you, sir. I'm going to -- I'm now  18 going to hand you what's been marked as Exhibit 15.  19 (Deposition Exhibit 15 marked for  20 identification.)  21 BY MR. CARNEY:  22 <b>Q.</b> As with the other ones, you can take the  23 time you need to read context, but I'm just going to  24 ask you about some specific messages. But this is  25 another short message report containing messages</p> <p style="text-align: center;">181</p>	<p>1 First of all, do you recall this  2 conversation with Mr. Fitzek?  3 <b>A.</b> I do not.  4 <b>Q.</b> Do you know what things that -- in  5 engineering that he thought were broken; do you  6 recall?  7 <b>A.</b> No, I do not.  8 <b>Q.</b> Do you recall there being an issue with  9 senior people leaving?  10 <b>A.</b> No, not at that time.  11 <b>Q.</b> Sitting here today, do you have an  12 understanding of what it means when he said:  13 Currently there is no way we fix what is in JIRA in  14 the next five years?  15 <b>A.</b> I mean, JIRA's used, as I mentioned, for  16 ticketing. So fix meaning that there's problems.  17 So that could be any kind of bugs, and we have a lot  18 of products, a lot of different things.  19 <b>Q.</b> Okay. You mentioned bugs. Do you know  20 if you were discussing bugs or whether you were  21 discussing vulnerabilities in this conversation; do  22 you recall?  23 <b>A.</b> No, I don't recall.  24 <b>Q.</b> If you look up above it at 11:41, you  25 mention: Will prevent a lot of cases, and</p> <p style="text-align: center;">183</p>
<p>1 between Harry Griffiths and Ondrej Fitzek and this  2 is from November 2nd, 2020, to November 30th, 2020,  3 and it bears the -- first page bears the Bates stamp  4 of SW-SEC00236824.  5 And just once again, sir, just flipping  6 quickly through this, does this appear to be a set  7 of messages between you and Mr. Fitzek?  8 <b>A.</b> Yes.  9 <b>Q.</b> Okay. And who is Mr. Fitzek?  10 <b>A.</b> Ondrej is -- he was an engineer. And as  11 I mentioned before, the application security area of  12 engineering, he would have been a sort of lead  13 engineer at the time.  14 <b>Q.</b> And if I could ask you, please, to turn  15 to the page ending in 829. And I'm using the bottom  16 Bates stamp. There's two sets of Bates labels on  17 this.  18 All right. And if you look at the  19 conversation that takes place around noon on  20 November 4th, 2020, Mr. Fitzek says: I talk like  21 2-4h per week with management, but all things that  22 are broken in engineering, not looking good. More  23 senior people are leaving too. Currently there's no  24 way we fix what is in JIRA in next five years.  25 And you respond: Oh, no.</p> <p style="text-align: center;">182</p>	<p>1 simplifies support on what they need to know before  2 advancing to support hackers.  3 Do you know what that means?  4 <b>A.</b> I do not, so I'm going back to see if it  5 helps.  6 (Witness reviews document.)  7 <b>A.</b> Okay. It says that -- secure Orion  8 document. So that's -- ending on 828 referring to  9 the secure Orion document that we were working on at  10 the time.  11 BY MR. CARNEY:  12 <b>Q.</b> And what's the secure Orion document?  13 <b>A.</b> It's a document to help customers  14 implement recommendations of controls, security  15 aspects of the products, you know, references to  16 what firewall ports are required, you know, as we  17 talked about earlier. And there was sort of -- I  18 believe references to known issues or typical KBs  19 that might get applied if a customer reported a  20 particular issue. They might have a set of steps to  21 implement to help protect their environment in the  22 application.  23 <b>Q.</b> And do you know why that document was  24 created?  25 <b>A.</b> I believe it's to aid customers in</p> <p style="text-align: center;">184</p>

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<p>1 just haven't been re-looked at after, you know,  2 three months that we're talking about or longer.  3 BY MR. TURNER:  4 Q. And what --  5 A. And retested -- huh?  6 Q. What are some other possible reasons?  7 A. That the ticket when it was initially  8 created had some -- some level of analysis, but not  9 thorough enough to determine whether it was  10 exploitable. So they could be false positives  11 still.  12 Q. And what did you actually know at the  13 time about the issues that these tickets concerned?  14 MR. CARNEY: Objection, form.  15 A. I don't believe I knew much about the  16 actual details of these tickets. This was just me  17 identifying the statistics from a query from the  18 conditions that we talked about earlier.  19 BY MR. TURNER:  20 Q. And what did you know about whether the  21 issues the tickets concerned had actually been  22 validated; in other words, whether they were false  23 positives or not?  24 A. I didn't -- I don't believe I was digging  25 into these 127 vulnerability tickets to do that.</p> <p style="text-align: center;">201</p>	<p>1 FURTHER EXAMINATION  2 BY MR. CARNEY:  3 Q. Mr. Griffiths, Mr. Turner asked you a  4 series of questions about the outstanding tickets in  5 Exhibit 14, right?  6 A. Yes.  7 Q. And you summing it up said you didn't  8 have a lot of details about those tickets, right?  9 A. Yes.  10 Q. Who at SolarWinds did have the details  11 about those tickets?  12 A. So there would be details in the tickets.  13 There would be some information in there. Who had  14 the details on the status, whether they were  15 resolved or not, would have been the engineering  16 team that would look into these and look at the code  17 to identify -- or retest the steps to reproduce to  18 see if they are actually still valid today.  19 Q. From -- and you mentioned the engineering  20 team. From the security team, you said you didn't  21 have a lot of details about what was going on with  22 these tickets. Was there someone on the security  23 team that was keeping abreast of the details of what  24 was going on with these tickets?  25 A. It was more on status rather than the</p> <p style="text-align: center;">203</p>
<p>1 Q. And what did you know about whether the  2 issues had actually been resolved but the tickets  3 had simply not been closed?  4 A. I don't know if they had been resolved  5 and that they just haven't been closed.  6 Q. And you said at one point that looking  7 back at your younger self you have more context on  8 this conversation. Could you just explain that  9 further?  10 A. Yeah. For the reasons that we just kind  11 of talked about. I didn't even have that context  12 looking at it. And volume doesn't necessarily  13 reflect the true accuracy of the tickets like this,  14 still didn't have the validation that I was  15 referring to either, whether it's actually still an  16 issue or whether it was exploitable. These are just  17 raw figures that I'm pulling to communicate that  18 back to the engineering leaders' teams, yeah, to go  19 through the risk acceptance process and ideally look  20 into these tickets, and as they're doing that with  21 the hope that they might close them, they might  22 already, you know, be fixed.  23 MR. TURNER: No further questions.  24 MR. CARNEY: Very briefly.  25</p> <p style="text-align: center;">202</p>	<p>1 actual details of the tickets.  2 Q. Okay.  3 MR. CARNEY: No further questions.  4 MR. TURNER: I have nothing further  5 from us.  6 THE VIDEOGRAPHER: This concludes  7 today's testimony of Harry Griffiths. Going off the  8 record. Time is 7:29.  9 (Deposition concluded at 7:29 p.m.)  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p> <p style="text-align: center;">204</p>

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REPORTER'S CERTIFICATION

I, Micheal A. Johnson, Registered Diplomat  
Reporter and Notary Public in and for the State of  
Texas, certify that on the 30th day of  
September, 2024 I reported the Videotaped Deposition  
of HARRY GRIFFITHS, after the witness had first been  
duly cautioned and sworn to testify under oath; said  
deposition was subsequently transcribed by me and  
under my supervision and contains a full, true and  
complete transcription of the proceedings had at  
said time and place; and that reading and signing  
was not requested.

I further certify that I am neither counsel  
for nor related to any party in this cause and am  
not financially interested in its outcome.

GIVEN UNDER MY HAND AND SEAL of office on  
this 7th day of October, 2024.

\_\_\_\_\_  
MICHEAL A. JOHNSON, RDR, CRR  
NCRA Registered Diplomat Reporter  
NCRA Certified Realtime Reporter

Notary Public in and for the  
State of Texas  
My Commission Expires: 8/8/2028

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